

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MICHAEL SHAVERS,

Plaintiff,

v.

Case No. 2:07-cv-171
HON. R. ALLAN EDGAR

DAVID BERGH, et al.,

Defendants.

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ORDER

Plaintiff Michael Shavers, a Michigan state prisoner in the custody of the Michigan Department of Corrections, brings this federal civil rights action under 42 U.S.C. § 1983. The only claims that remain in this case for adjudication are the plaintiff's claims against defendants Stasewich and Enterline.

There is presently before the Court a motion by plaintiff Shavers for a temporary restraining order and preliminary injunction under Fed. R. Civ. P. 65. [Court Doc. No. 210]. The factual allegations in the motion are not related to the claims pending against defendants Stasewich and Enterline. Plaintiff Shavers improperly seeks a temporary restraining order and preliminary injunction against persons who are not defendants in this case. Defendants Stasewich and Enterline oppose the motion. [Court Doc. No. 222].

On March 29, 2012, Magistrate Judge Timothy P. Greeley submitted his report and recommendation that the motion be denied. [Court Doc. No. 231]. Plaintiff Shavers has not timely filed any objections to the report and recommendation.

On March 29, 2012, the same day that the Magistrate Judge submitted the report and recommendation, the Court received from plaintiff Shavers a motion for leave to supplement his motion for temporary restraining order and preliminary injunction. The plaintiff's motion to supplement [Court Doc. No. 232] is **GRANTED**. The supplement does not change the correct analysis set forth in the Magistrate Judge's report and recommendation.

After reviewing the record *de novo* including the plaintiff's recent supplement, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and W.D. Mich. LCivR 72.3. The plaintiff's motion for temporary restraining order and preliminary injunction under Fed. R. Civ. P. 65 [Court Doc. No. 210] is **DENIED**.

SO ORDERED.

Date: April 19, 2012.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE